

**INDEX OF A REGULAR MEETING
FORT LAUDERDALE CITY COMMISSION
MARCH 19, 2002**

<u>Agenda Item</u>	<u>Reso./Ord. No.</u>	<u>Page(s)</u>
OB	Presentations:	
	1. Rhoda Schneider, Fort Lauderdale Bridge Club	1
	2. Community Advisory Council (CAC) – Wingate Landfill Site	2
	3. Community Appearance Board's WOW Award	2
	4. Randy Dunlap, Riverland Area	2
	5. Homeless Children Awareness Day	2
	6. Expression of Sympathy	3
CA	Consent Agenda	3
M-1	Event Agreement – Avon Breast Cancer 3Day	3
M-2	Event Agreement – Clueless on Las Olas	3
M-3	Event Agreement – Florida Beach Volleyball Tour	3
M-4	Event Agreement – Ministry-Wide Community Fair	4 & 11
M-5	Event Agreement – Spring Home and Garden Tour	4 & 11
M-6	Contract Award – MBR Construction, Inc. – Project 10194 – Improvements to Woodlawn Cemetery	4 & 11
M-7	First Amendment to Agreement – Broward County – Installation of Multi-Space Meters and Revision of Revenue Sharing Formula for County Lot II (80 S.W. 1 Avenue)	4
M-8	Change Order No. 3 – APAC-Florida, Inc. – Project 9831 – Executive Airport Way and Drainage Swale Improvements	5
M-9	Disbursement of Funds – Joint Investigation – O.R. No. 01-51299 - \$5,133.54	5
M-10	Disbursement of Funds – Joint Investigation – O.R. No. 01-111221 - \$2,333.66	5
M-11	Disbursement of Funds – Joint Investigation – O.R. No. 99-54512 - \$2,156.64	5
M-12	Transfer of Law Enforcement Trust Funds – Police Jail Management System	6
M-13	Approval of 15-Foot Drainage Easement on City- Owned Property Leased to Southern Facilities Development (Parcel B) to be Granted to Cypress Concourse E, LLC (Parcel E)	6
M-14	Use of Florida Inland Navigation District (FIND) Funds – Project 15190 – George English Park	6 & 12
M-15	Task Order – Recreational Design & Construction, Inc. (RDC) – Projects 10472, 10471, 10477 and 10468 – Melrose Manors, Lauderdale Manors, South Middle River, and Harbordale Neighborhood Projects	6
M-16	Annual Joint Funding Agreement – U.S. Geological Survey	7
M-17	Contract Award – Budget Construction, Inc. – Project 10419 – Annual (2002) Storm Sewer Contract	7
M-18	Task Order – Hazen & Sawyer, P.A. – Project 10454 – Design and Construction Services for Peele-Dixie Membrane Treatment Facility/Storage Tank	7 & 12

Index of a Regular Meeting
March 19, 2002
Page Two

<u>Agenda Item</u>	<u>Reso./Ord. No.</u>		<u>Page(s)</u>
M-19		Request to Phase Construction – Jeff Falkanger, Agent for Owner (Las Olas Company) – Portion of Riverside Hotel (PZ Case No. 73-R-99)	7 & 13
M-20		Settlement of Workers Compensation File No. WC 99-10340 (Deedre Hurley)	19
M-21		Settlement of Workers Compensation File Nos. WC 98-9808 and WC 99-10033 (Eleanor Cleary)	19
Pur. 1		Bid 412-8528 – Increase Expenditure for Well Field Mowing Services	8
Pur. 2		Bid 722-8653 – Purchase of Baseball Equipment	8
Pur. 3		Contract – Verizon/Terminate Maintenance and Re-issue	9
Pur. 4		Change Order – Maintenance for Police Message Switch	9
Pur. 5		RFP 522-8628 – Organizational Climate Survey	9 & 18
Pur. 6		Proprietary – Additional Programming Services/Utility Billing	10
Pur. 7		Bid 522-8593 –Contract/Various Cut Papers	10
Pur. 8		Proprietary – Contract for Evidence/Property Inventory System	10
Pur. 9		572-7623 – Contract Extension for All Risk Property Insurance	11
PH-1	Deferred	Application of Dock Waiver of Limitations and Settlement with Mark Stephenson – John E. Rudnik – 2807 N.E. 36 Street	19
PH-2	Deferred	Development Order – Florida Department of Transportation (FDOT)/Cypress Creek Park and Ride Assoc., Ltd. Partnership, Lessee – Lightspeed Broward Center Development of Regional Impact (DRI) (PZ Case No. 109-R-00[02])	19
PH-3	C-02-05	Vacate a Segment of Alley – Dixie Southland Corp. – Jefferson at Fort Lauderdale (PZ Case No. 4-P-02)	20
O-1	C-02-06	Amend Section 2-26 – Starting Time of City Commission Conference Meetings	21
R-1	02-38	2002 Citizen of the Year – Tim Schiavone	21
R-2	02-39	2002 Distinguished Citizens – Honorable Judges Estella Moriarty and W. Herbert Moriarty	21
R-3	02-40	2002 Honored Founder – Andrew DeGraffenreidt	22
R-4	02-41	2002 Exemplary City Employee – Charles “Chuck” Ritchie	22
R-5	02-42	Vacate Utility Easement – Dixie Southland Corp. – Jefferson at Fort Lauderdale (PZ Case No. 2-M-02)	22
R-6	02-43	Vacate Utility Easement – Ulrich Ansin (PZ Case No.3 –M-02)	23
R-7	02-44	Approval of Helistop/CF – Broward General Medical Center (PZ Case No. 59-R-00)	24
R-8	02-45	Broward County Charter Review Commission – Proposal to Create Countywide Water Council (Regional Water Authority)	26

Index of a Regular Meeting
March 19, 2002
Page Three

<u>Agenda Item</u>	<u>Reso./Ord. No.</u>		<u>Page(s)</u>
R-9	02-46	Emergency Task Order – Recreational Design and Construction, Inc. (RDC) – Project 10465 – Performing Arts Center Authority (PACA) Garage Guardrail Replacement Project	26
R-10	02-47	Air Space Agreement and Addendum to Agreement – Florida Department of Transportation (FDOT) – E. Clay Shaw Bridge (S.E. 17 Street Causeway) Underdeck Area and Change of Name of Park to “Betty and Sam Switzer Plaza”	27
R-11	02-48	Agreement – Broward County – Water Service for Port Everglades	27
R-12	02-49	Competitive Negotiations for Professional Services for Oversight of Third Party Administration for the City’s Employee Health Benefits	28 & 29
R-13	02-50	Amendment to Agreement – Florida Department of Environmental Protection (DEP), Land and Water Conservation Fund – Holiday Park Facilities – Deletion of Hockey Rink Construction	28
OB	02-51	Advisory Board Appointments	29

**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
March 19, 2002**

Meeting was called to order at 6:05 P.M. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Tim Smith (6:05)
Commissioner Carlton B. Moore (6:06)
Commissioner Cindi Hutchinson
Commissioner Gloria Katz
Mayor Jim Naugle

Absent: None

Also Present:	City Manager	F. T. Johnson
	City Attorney	Dennis E. Lyles
	City Clerk	Lucy Masliah
	Sergeant At Arms	Sergeant Schendel

Invocation was offered by *Dr. H. Nathan Charles*, First Baptist Church of Fort Lauderdale.

Pledge of Allegiance to the Flag.

Motion made by Commissioner Hutchinson and seconded by Commissioner Katz that the agenda and minutes of the meeting as shown below be approved:

Regular Meeting March 5, 2002

Roll call showed: YEAS: Commissioners Hutchinson and Katz, and Mayor Naugle. NAYS: none.

Note: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

Presentations (OB)

1. Rhoda Schreider, Fort Lauderdale Bridge Club

Commissioner Katz read aloud and presented a commendation to *Rhoda Schreider*, Manager of the Fort Lauderdale Bridge Club, in appreciation for all of her hard work and efforts in making the Fort Lauderdale Bridge Club an outstanding asset to the community. Mayor Naugle added that the Club had also just been recognized as the #1 bridge club in North America out of 3,800 other clubs.

At 6:05 P.M., Commissioner Smith arrived at the meeting. Commissioner Moore arrived at 6:06 P.M.

2. Community Advisory Council (CAC) – Wingate Landfill Site

Commissioner Moore presented plaques to *Kassandra Barnes* and *Robert Smith*, Co-Chairs of the CAC for the Wingate Landfill site, in appreciation for all of their efforts to work with the cooperating parties and the community on the redevelopment of this critical site. He announced that a community event was scheduled for April 29, 2002 at 10:00 a.m. at the site. Ms. Barnes pointed out that there had been a great deal of help from other members of the community, and there was still much work to be done. Mr. Smith agreed it had been a “long row to hoe,” and there had been a lot of “foot soldiers.” He thanked the City Commission and City staff for having faith in the community. Mr. Smith also encouraged everyone to visit the site and observe the new environment. Commissioner Moore recognized *Ms. Cheryl Dickey*, who had facilitated the community outreach effort. Mayor Naugle acknowledged Commissioner Moore’s efforts as well.

3. Community Appearance Board’s WOW Award

Commissioner Hutchinson read aloud and presented the Community Appearance Board’s *WOW Award* to:

Don Betancourt
720 Southwest 13th Avenue
Riverside Park

She stated that the house dated back to 1909, and Mr. Betancourt had done all of the remodeling and exterior work himself, paying special attention to xeriscaping techniques to create a charming tropical paradise. Commissioner Hutchinson also presented Mr. Betancourt with gift certificates from Lennar Homes and Amar Hardware.

4. Randy Dunlap, Riverland Area

Mayor Naugle introduced *Mr. Randy Dunlap*, who made a presentation on behalf of Fort Lauderdale’s newest annexed community, the Riverland Area. He reported that 78% of the area had voted to join Fort Lauderdale, and he felt the real “winners” were the citizens of the Riverland Area. Mr. Dunlap presented an autographed sign to Mayor Naugle, as well as campaign shirts to each of the City Commissioners and various members of City staff. He added that this neighborhood looked forward to being an active part of the greater Fort Lauderdale community. Mayor Naugle felt the thanks should go to Mr. Dunlap and all the citizens who had worked so hard, and he said the City would do its best to make 100% of the residents happy about this choice.

5. Homeless Children Awareness Day

Commissioner Smith read aloud and presented a proclamation for “Homeless Children Awareness Day” to be observed March 16, 2002 in the City of Fort Lauderdale. *Ms. Janet Ward*, President and CEO of Parents Information and Resource Center (PIRC), accepted. She pointed out that the majority of Americans who were homeless were children, and there were only 45 rooms for homeless families in Broward County.

6. Expression of Sympathy

Commissioner Moore presented an Expression of Sympathy, on behalf of the City Commission, to the family of *Mr. Leon Storr*.

Consent Agenda (CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Avon Breast Cancer 3Day (M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Pallotta Teamworks** to indemnify, protect, and hold harmless the City from any liability in connection with the **Avon Breast Cancer 3Day** to be traveling through Fort Lauderdale on **Friday and Saturday, April 19 and 20, 2002**, including an overnight stay at Orioles Stadium.

Recommend: Motion to approve.

Exhibit: Memo No. 02-398 from City Manager.

Event Agreement – Clueless on Las Olas (M-2)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Partners in Education, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with **Clueless on Las Olas** to be held **Thursday, April 25, 2002 from 5:30 p.m. to 10:00 p.m.**; and further authorizing the closing of S.E. 9 Avenue from East Las Olas Boulevard to S.E. 4 Street from 12:00 noon to 11:00 p.m.

Recommend: Motion to approve.

Exhibit: Memo No. 02-390 from City Manager.

Event Agreement – Florida Beach Volleyball Tour (M-3)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **USA Volleyball** to indemnify, protect, and hold harmless the City from any liability in connection with the **Florida Beach Volleyball Tour** to be held **on the following Saturdays and Sundays in 2002: April 6-7, June 29-30, and September 7-8 from 9:00 a.m. to 7:00 p.m.** on South Beach.

Recommend: Motion to approve.

Exhibit: Memo No. 02-391 from City Manager.

Event Agreement – Ministry-Wide Community Fair (M-4)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Mount Bethel Baptist Church** to indemnify, protect, and hold harmless the City from any liability in connection with the **Ministry-Wide Community Fair** to be held **Saturday, April 20, 2002 from 10:00 a.m. to 2:00 p.m.**; and further authorizing the closing of N.W. 9 Street from N.W. 11 Avenue to N.W. 12 Avenue, and N.W. 11 Avenue and N.W. 12 Avenue from Sunrise Boulevard to N.W. 9 Street from 7:00 a.m. to 4:00 p.m. on the event day.

Recommend: Motion to approve.

Exhibit: Memo No. 02-388 from City Manager.

Event Agreement – Spring Home and Garden Tour (M-5)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Victoria Park Civic Association** to indemnify, protect, and hold harmless the City from any liability in connection with the **Spring Home and Garden Tour** to be held **Saturday and Sunday, April 6 and 7, 2002 from 1:00 p.m. to 6:00 p.m.**

Recommend: Motion to approve.

Exhibit: Memo No. 02-389 from City Manager.

**Contract Award – MBR Construction, Inc. –
Project 10194 – Improvements to Woodlawn Cemetery (M-6)**

A motion authorizing the proper City officials to execute an agreement with MBR Construction, Inc. in the amount of \$203,026 for various improvements to Woodlawn Cemetery.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 02-424 from City Manager.

**First Amendment to Agreement –
Broward County – Installation of Multi-Space
Meters and Revision of Revenue Sharing Formula
for County Lot II (80 S.W. 1 Avenue) (M-7)**

A motion authorizing the proper City officials to execute a First Amendment to Agreement with Broward County to install two multi-space meters in the County Lot II parking lot located at 80 S.W. 1 Avenue, revise the revenue sharing formula, and extend the term of the agreement for five years.

Recommend: Motion to approve.

Exhibit: Memo No. 02-378 from City Manager.

**Change Order No. 3 – APAC-Florida, Inc. –
Project 9831 – Executive Airport Way and
Drainage Swale Improvements (M-8)**

A motion authorizing the proper City officials to execute Change Order No. 3 with APAC-Florida, Inc. in the amount of \$40,114.71 for the installation of concrete drainage flumes, sand-cement bedding, sanitary sewer extension, and adjustment to contract quantities for the Executive Airport way and drainage swale improvements.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 02-346 from City Manager.

**Disbursement of Funds –
Joint Investigation – O. R. No. 01-51299 - \$5,133.54 U. S. Currency (M-9)**

A motion authorizing the equitable disbursement of funds in the amount of \$342.23 to each of the 15 participating task force agencies.

Recommend: Motion to approve.

Exhibit: Memo No. 02-3-1 from City Attorney.

**Disbursement of Funds –
Joint Investigation – O. R. No. 01-111221 - \$2,333.66 U. S. Currency (M-10)**

A motion authorizing the equitable disbursement of funds in the amount of \$155.57 to each of the 15 participating task force agencies.

Recommend: Motion to approve.

Exhibit: Memo No. 02-3-2 from City Attorney.

**Disbursement of Funds –
Joint Investigation – O. R. No. 99-54512 - \$2,156.64 U. S. Currency (M-11)**

A motion authorizing the equitable disbursement of funds in the amount of \$126.86 to each of the 17 participating task force agencies.

Recommend: Motion to approve.

Exhibit: Memo No. 02-3-3 from City Attorney.

**Transfer of Law Enforcement Trust Funds –
Police Jail Management System (M-12)**

A motion authorizing the transfer of \$140,000 from the Law Enforcement Trust Fund, Fund 107, to POL080101/6404 (Computer Equipment account) for the Police Jail Management System.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-407 from City Manager.

**Approval of 15-Foot Drainage Easement on
City-Owned Property Leased to Southern Facilities Development
(Parcel B) to be Granted to Cypress Concourse E, LLC (Parcel E) (M-13)**

A motion authorizing a 15-foot drainage easement on City-owned property leased to Southern Facilities Development (Parcel B) to Cypress Concourse E, LLC (Parcel E), to facilitate the development of City-owned property near Fort Lauderdale Executive Airport.

Recommend: Motion to approve.

Exhibit: Memo No. 02-387 from City Manager.

**Use of Florida Inland Navigation District
(FIND) Funds - Project 15190 – George English Park (M-14)**

A motion approving the utilization of \$153,217 of Florida Inland Navigation District (FIND) grant funding for the George English Park improvements.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-374 from City Manager.

**Task Order – Recreational Design and Construction, Inc.
(RDC) - Projects 10472, 10471, 10477, and 10468 –
Melrose Manors, Lauderdale Manors, South Middle River,
and Harbordale Neighborhood Projects (M-15)**

A motion authorizing the proper City officials to execute a task order with RDC in the amount of \$138,558 for the design and construction of the Melrose Manors, Lauderdale Manors, South Middle River, and Harbordale neighborhood projects.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-348 from City Manager.

Annual Joint Funding Agreement – U.S. Geological Survey (M-16)

A motion authorizing the proper City officials to execute the annual joint funding agreement with the U.S. Geological Survey.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-382 from City Manager.

**Contract Award – Budget Construction, Inc. –
Project 10419 – Annual (2002) Storm Sewer Contract (M-17)**

A motion authorizing the proper City officials to execute an agreement with Budget Construction, Inc. in the approximate amount of \$690,150 for the annual (2002) storm sewer contract.

Funds: See Bid Tab

Recommend: Motion to approve.

Exhibit: Memo No. 02-343 from City Manager.

**Task Order – Hazen and Sawyer, P.A. – Project 10454 –
Design and Construction Services for Peele-Dixie
Membrane Treatment Facility/Storage Tank (M-18)**

A motion authorizing the proper City officials to execute a task order with Hazen and Sawyer, P.A. in the amount of \$5,801,200 for the design, permitting, and other services during construction of a membrane treatment facility and storage tank at the Peele-Dixie Water Treatment Plant.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 02-216 from City Manager.

**Request to Phase Construction – Jeff Falkanger,
Agent for Owner (Las Olas Company) - Portion of
Riverside Hotel (PZ Case No. 73-R-99) (M-19)**

A motion authorizing a request to phase construction for a portion of the Riverside Hotel.

Applicant: Jeff Falkanger, agent for the owner (Las Olas Company)
Request: Phase construction for the hotel auditorium and meeting rooms
Location: 620 East Las Olas Boulevard

Recommend: Motion to approve.

Exhibit: Memo No. 02-423 from City Manager.

PURCHASING AGENDA

Bid 412-8528 – Increase Expenditure for Well Field Mowing Services (Pur-1)

An agreement to increase expenditure for well field mowing services is being presented for approval by the Parks & Recreation Department.

Recommended Award: R.S. Young
Pompano Beach, FL
Amount: \$ 22,592.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 02-294 from City Manager

The Procurement and Materials Management Division has reviewed this item and agrees with the recommendation to approve the increased expenditure.

Bid 722-8653 – Purchase of Baseball Equipment (Pur-2)

An agreement to purchase various types of baseball equipment is being presented for approval by the Parks and Recreation Department.

Recommended Award: Sport Supply
Jenkintown, PA
Anaconda
Lake Katrine, NY
Pyramid Sports
Tampa, FL
J P Sports
Montgomery, AL
Zipp Sports
S. Miami, FL
Webster
Fort Lauderdale, FL
A D Starr
Pittsburgh, PA
Baden
Federal Way, WA
Bill Fritz
Apex, NC
Amount: \$ 25,951.92
Bids Solicited/Rec'd: 60/14 with 2 no bids
Exhibits: Memorandum No. 02-371 from City Manager

The Procurement and Materials Management Division recommends award to the lowest responsive and responsible bidders.

Contract – Verizon/Terminate Maintenance and Re-issue**(Pur-3)**

An approval to terminate Verizon maintenance contract for CAD and RMS and issue contracts with primary system providers for the remainder of the calendar year is being presented by the Police Department.

Recommended Award:	Intergraph Huntsville, AL Avel-Tech Laval, Que, Canada Smart Business Systems Tampa, FL Tiburon San Francisco, CA
Amount:	\$ 243,698.00
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 02-325 from City Manager

The Procurement and Materials Management Division reviewed this item and supports the recommendation to terminate contract with Verizon, Inc. and issue new proprietary contracts with the manufacturers of system components.

Change Order – Maintenance for Police Message Switch**(Pur-4)**

Approve change order for previous years maintenance to the Police message switch system and upgrade to CAD system is being presented for approval by the Police Department.

Recommended Award:	Verizon, Inc. Tampa, FL
Amount:	\$ 44,318.07
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 02-324 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve the change order and additional system upgrade.

RFP 522-8628 – Organizational Climate Survey**(Pur-5)**

A one-year contract for an organizational climate survey of City employees is being presented for approval by the Administrative Services, Human Resources Division.

Recommended Award:	ETC Institute (WBE) Olathe, KS
Amount:	\$ 52,525.00 (estimated)
Bids Solicited/Rec'd:	74/11 with 2 no bids
Exhibits:	Memorandum No. 02-377 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to award to the first ranked proposer.

Proprietary – Additional Programming Services/Utility Billing**(Pur-6)**

Additional custom programming services for the automated utility billing systems is being presented for approval by the Administrative Services, Information Technology Division.

Recommended Award: Sungard Pentamotion
Pembroke Pines, FL
Amount: \$ 6,000.00 (estimated not to exceed)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 02-360 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve the proprietary purchase.

Bid 522-8593 – Contract/Various Cut Papers**(Pur-7)**

A one-year contract for the purchase of various cut papers for use by City Print Center is being presented for approval by the Parks and Recreation Department.

Recommended Award: Mac Papers, Inc.
Miami, FL
On Demand Paper, Inc.
Miami, FL
Xpedx
Miramar, FL
Amount: \$ 55,000.00 (estimated)
Bids Solicited/Rec'd: 40/6 with 5 no bids
Exhibits: Memorandum No. 02-375 from City Manager

The Procurement and Materials Management Division recommends award to the lowest responsive and responsible bidders.

Proprietary – Contract for evidence/property inventory system**(Pur-8)**

Annual service contract for evidence and property inventory system is being presented for approval by the Police Department.

Recommended Award: Unisys, Inc.
Tampa, FL
Amount: \$ 10,400.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 02-322 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve the proprietary purchase.

572-7623 – Contract Extension for All Risk Property Insurance

(Pur-9)

A one-year contract extension for all risk property insurance is being presented for approval by the Finance, Risk Management Division.

Recommended Award:	FM Global Alpharetta, GA Beacon Insurance Group Boca Raton, FL
Amount:	\$ 625,000.00 (estimated)
Bids Solicited/Rec'd:	N/A
Exhibits:	Memorandum No. 02-381 from City Manager

The Procurement and Materials Management Division reviewed this item and agrees with the recommendation to approve the contract extension.

Motion made by Commissioner Smith and seconded by Commissioner Moore that Consent Agenda Item Nos. M-4, M-6, M-14, M-18, M-19 and Pur. 5 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda Items be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

Event Agreement – Ministry-Wide Community Fair (M-4)

Commissioner Moore encouraged everyone to attend this event. He said it was the first time it would be done in Fort Lauderdale, and it would be held at Mills Pond Park. Commissioner Moore asked staff to contact the Lauderdale Manors Civic Association in case there were any concerns that should be addressed prior to the event. He believed this would be a very positive event.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. M-4 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Event Agreement – Spring Home and Garden Tour (M-5)

Mayor Naugle noted that this item had already been approved, but he wanted to remind everyone that the Spring Home and Garden Tour was scheduled for April 6 and 7, 2002 from 1:00 to 6:00 p.m.

Contract Award – MBR Construction, Inc. –

Project 10194 – Improvements in Woodlawn Cemetery (M-6)

Commissioner Moore said he had pulled this item only to recognize the excellent job done by Horace McHugh with the community to facilitate these improvements. He reported that from 8:00 a.m. to noon on March 30, 2002, the community would explore who might be interred at Woodlawn Cemetery for the posting of the names, and he encouraged everyone to participate. In addition, at 11:00 a.m. this Saturday at the Mizell Multipurpose Center, a meeting was scheduled for those who might have loved ones buried at Woodlawn Cemetery to gather information.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-6 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Use of Florida Inland Navigation District (FIND) Funds –
Project 15190 – George English Park (M-14)**

Commissioner Katz was concerned that \$153,000 of impact fees could not be reallocated to another park project. She felt this money should remain earmarked for George English Park because there were still issues to address there, including the hockey rink, the community center, and some landscaping after the portable classrooms were removed. Mr. Pete Sheridan, Engineering Division, stated that this item would only move FIND grant funds to this project because staff had applied for the grant after the project had been awarded. He advised that these FIND monies could only be spent for this particular project, but the impact fees could be utilized elsewhere at the pleasure of the Commission.

Commissioner Katz said she certainly wanted to take advantage of the FIND grant funds, but she wanted assurances that the additional impact fees would not “disappear.” She wanted those monies kept available for George English Park. The City Manager noted that if staff wanted to reallocate any of the dollars remaining for George English Park, it would require Commission approval.

Motion made by Commissioner Katz and seconded by Commissioner Smith that Consent Agenda Item No. M-14 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Task Order – Hazen and Sawyer, P.A. – Project 10454 –
Design and Construction Services for Peele-Dixie
Membrane Treatment Facility/Storage Tank (M-18)**

Mayor Naugle inquired about the percentage of this fee in relation to the total construction cost. Mr. Greg Kisela, Assistant City Manager, stated that the total construction cost was \$37.4 million, and the fee for design, permitting and other services during the construction was \$5.8 million. Mayor Naugle thought that was rather high. Mr. Kisela advised that this project was very complex, and converting a 75-year old treatment plant to modern technology presented many challenges.

Mayor Naugle asked how the monies would be disbursed. Mr. Kisela replied that it would be disbursed in parts as certain efforts were completed. He thought it would take at least three years for the full amount to be expended. Mayor Naugle asked if there were any guarantee that once done, the plant would function properly as designed. Mr. Kisela replied that there would be errors and omission insurance to deal with any negligence.

Mr. Pat Davis, a Vice-President with Hazen and Sawyer, stated that as long as the contractor built the plant according to the specifications, there was errors and omission insurance in the amount of \$10 million. Mayor Naugle asked if a similar arrangement had been made in terms of the Compost Plant. Mr. Davis advised that was a completely different process in which there had been a design/build contract, and the Compost Plant that had been designed by Hazen and Sawyer had never been constructed.

Mayor Naugle asked if Hazen and Sawyer had been paid to do the inspections at the Compost Plant. Mr. Davis agreed the firm had done the inspections to ensure that what was built by the design/build firm met its own specifications. Mayor Naugle asked how much Hazen and Sawyer had been paid for that job, but Mr. Davis did not know. Mayor Naugle understood Mr. Davis was guaranteeing that this facility would work. Mr. Davis agreed that was correct.

Commissioner Smith was surprised Mayor Naugle was still “picking on” Hazen and Sawyer for something that happened in the early 1980s, and he did not think it was appropriate. Mayor Naugle advised there had been a series of failures, not just in the Compost Plant but in the sewer system as well, and he did not want history to repeat itself. Commissioner Smith said his concern was that \$2.5 million had just been spent renovating this Plant from a historical standpoint. Mr. Kisela advised that this historic structure itself would remain. Commissioner Smith felt that if Mayor Naugle had concerns about the membrane technology, this entire project should be stopped, but he believed this was good technology.

Motion made by Commissioner Smith and seconded by Commissioner Moore that Consent Agenda Item No. M-18 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Request to Phase Construction – Jeff Falkanger, Agent for
Owner (Las Olas Company) – Portion of Riverside Hotel
(PZ Case No. 73-R-99)**

..... (M-19)

Commissioner Katz asked if the parking garage would still be 92’ from the River. *Mr. Don Hall*, Attorney representing the property owner, advised that the garage was 83’ from the River, although the original site plan had showed it 92’ from the River. He explained that during the final design work, it had been necessary to move it due to Code requirements associated with ramps and their inclines. Mr. Hall noted that the setback requirement was 20’ from the River. Mayor Naugle asked who had approved that change. Mr. Cecelia Hollar, Planning Division, said she had advised Mr. Hall that this would have to go through an administrative review for a site plan Level I review, but the applicant had not yet submitted a request. She stated that a Certificate of Occupancy had not yet been issued, and this was one of the issues that remained, but the setback requirement was 20’. Mr. Hall understood that because of this, if the meeting rooms facility were constructed, it would have to be a smaller facility.

Mayor Naugle said he had a copy of the ULDR, which defined a setback as the minimum horizontal distance between a structure and a property line, and the setback from the River ranged from 84.81’ to a smaller dimension on the west side of 29’. Although the Planning & Zoning Board had been told on August 18, 1999 that the garage would be set back 92’ from the River, but it was actually 29’ from the River based on the survey presented to him today. Ms. Hollar clarified that the plans showed a 29’ setback including the auditorium and meeting rooms. She agreed the garage portion was at 83’, which was why an administrative review was required to make that change and to no longer show the meeting rooms and auditorium.

Mayor Naugle noted that at a height of 33’ on the front of the building, the testimony indicated the building would step back to 31’6”, but the survey he had received today showed only a 10’ setback. At a height of 93’ in the hotel portion, the setback was supposed to be 38’, but the survey showed a setback of 29.81’. Therefore, he felt there were serious intrusions into the setbacks along Las Olas Boulevard and at the rear of the property.

Ms. Hollar was not sure which specific setback Mayor Naugle referred to, but the only one of which she was aware was at the stairwell, which was shown on the plans at 10', and that was what the Code allowed. That was also what had been presented to the Planning and Zoning Board, approved, and constructed. Mayor Naugle did not feel that met the definition of setback under the ULDR. He recalled that the Commission had been given a chart listing the different setbacks, but he had never seen the plans. At that time, the Commission had been told the front setbacks would step back as the height of the building rose. Mayor Naugle thought there had been an architectural error that had resulted in the stairway being constructed in the setback. Ms. Hollar stated the plans showed a 10' setback at the stairwell, and that was how it had been constructed. If that were the case, Mayor Naugle believed the Commission had been lied to in the narrative. Ms. Hollar was aware of no misrepresentations, and she believed a 0' setback would have been allowed in this district under the ULDR rather than 10' at the stairwell.

Mr. Chris Barton, Construction Services, had diagrams from an as-built spot survey submitted on October 1, 2001. He stated that the stairwell was set back 10.23'. He advised that the required setback in this particular district was 10' at the ground floor. After approval, there had been an administrative modification to turn one portion of the building into an arcade, so the ground floor was set back 21.56' and was approximately 20' in height. Although the stairwell had not been moved back to 21.56', it met the 10' minimum requirement. Mr. Barton noted that there was another provision of the ULDR that allowed support columns within the 10' setback under certain circumstances, and step backs were required along Las Olas Boulevard. However, in lieu of strict application of that section, the Code allowed applicants to propose an alternative design that satisfied the intent of providing air and light at the street level, subject to the approval of the DRC. Mr. Barton said the DRC felt this design met the intent because the 10' was only 10% of the total frontage, and it was more than the 5' that could have been allowed under the Code for a portion of the building.

Mr. Barton referred to the cornice requirements for a step back of at least 10' at a height between 12' and 35'. He displayed a drawing showing the wall of the parking garage at the 33' level, where there was a 10' setback, although it had not been stepped back at the stairwell. Again, however, the cornice had been wrapped around the stairwell to maintain the visual image. He advised that another step back was required and had been provided at the 9th floor, where the garage blended into the hotel rooms, and he pointed it out on the drawings.

Mayor Naugle stated that on August 18, 1999, on page 37 of the Planning and Zoning Board minutes, Mr. Barton had indicated that the frontage on Las Olas Boulevard started at 10' from the property line at ground level. He agreed with that, but Mr. Barton had also stated that at a height of 33', the building would step back to 31-1/2', and then 38' at a higher level. However, it only stepped back to 29' at that level. Therefore, Mayor Naugle felt that sworn testimony had not been accurate, but the more egregious problem was the sworn testimony by Mr. Huebner. He referred to page 35 of the same meeting minutes, at which he had indicated that the garage would be 92' from the River, with the hotel at 119'. It appeared to Mayor Naugle that this did not meet the 10% rule, and the modification could not be approved administratively. He believed this would have to go the Board of Adjustment and, if a variance were denied, there would have to be some demolition of the garage.

Mayor Naugle felt this item should be tabled until a report could be presented by the City Attorney as to how these matters would be handled. He pointed out that the City had been promised a 92' setback from the River, but there was only a 30' setback, and he would not allow an error of this nature to occur in Fort Lauderdale.

Commissioner Moore asked if the garage was 92' from the River. Mr. Hall replied that it was 83' from the River. Mayor Naugle stated that it was 30' from the River on the west side. Mr. Hall said he was not an engineer, and the survey showed the building as it existed. Mayor Naugle stated that the survey indicated a setback of 29'. Mr. Hall believed staff had indicated that this project complied with the Code, and he felt premature talk of demolition was quite dangerous. Mayor Naugle felt this should be tabled, particularly since no application had yet been submitted for DRC approval. Mr. Hall did not believe DRC approval was necessary.

Ms. Hollar clarified that the property owner was requesting two things today – issuance of a partial Certificate of Occupancy for the hotel and the garage that existed with 18 months to construct the meeting rooms and auditorium. In the meantime, landscaping would be installed in that location to provide open space. She explained that if the owner chose not to build the auditorium and meeting rooms, it would be necessary to amend the site plan, and the applicant understood that would require an administrative review to change the 92' to 83' for the garage. Mayor Naugle wondered about the 29' at one end. Ms. Hollar stated that dimension had not changed, and the Code only required a setback of 20' in that location.

Commissioner Katz recalled approval of a 20' setback from the River for the glass-enclosed conference room. Now, if the conference room were not constructed, the setback would be greater. Ms. Hollar agreed that was correct and, because of that change, an administrative review was necessary. Commissioner Smith inquired as to the number of feet encroaching, and Ms. Hollar replied that 9' was the distance. Commissioner Smith asked if the front of the building had been constructed as shown on the plans. Ms. Hollar replied that what was shown on the plans had been built. Commissioner Smith understood the issue involved the 9' for the garage, and if the meeting rooms were not built, the structure would actually be over 60' from the River. Mayor Naugle reiterated that it was only 29' from the River. Ms. Hollar stated that only the stairwell was 29' from the River.

Mayor Naugle asked how wide the stairwell was, and Mr. Barton replied it was 11.7' wide. Mayor Naugle believed the building at that end was 40' from the River instead of 92'. Mr. Barton agreed it was 40' from the River at that point. Ms. Hollar believed Mr. Huebner had been describing the stepping back of the building during his comments to the Planning and Zoning Board.

Mayor Naugle said he was having trouble with this as it was clear to him that the information presented to the Planning and Zoning Board and to the City Commission indicated the building would be 92' from the River. Now, it appeared people were ignoring the ULDR definition of "setback" and calling it something else. He asked the City Attorney if this was something that should go to the Board of Adjustment or if staff should have more time to review it. The City Attorney said he was having trouble, too because it had been his understanding that the reason for this item involved a very narrow request regarding the phasing of some improvements and what would happen if those improvements were ultimately not constructed. Another request involved issuance of a partial Certificate of Occupancy, and the fact that a final Certificate of Occupancy could not be issued if the project did not comply with the site plan.

The City Attorney felt that any discussion about modifying setbacks or the building as shown in the plans and specifications submitted was inappropriate to take up this evening. He stated that if those things were going to be modified in this setting, it should have been advertised as a quasi-judicial hearing.

Mayor Naugle said he was not talking about modifying anything. Rather, he had discovered that someone had done something against the laws and procedures of the City. The City Attorney advised that the Commission was not in a position tonight to consider modifying the site plan. Mayor Naugle understood the 29' setback could not be modified tonight. The City Attorney agreed that neither that, nor any variation thereof, could be addressed this evening. It sounded as if staff had some more investigation to do and had identified the process that should be followed. However, staff was not recommending any changes to the site plan approved by the Planning and Zoning Board and the City Commission, and that was not the subject of this item. He stated that the narrow issue was the phasing agreement with the conditions recommended by staff and the partial Certificate of Occupancy.

Mayor Naugle felt the item should be tabled in order to get some clear answers on how to deal with this or make it legal. The City Attorney stated that the issue before the Commission tonight would not make legal or illegal any problems that might have occurred in the processing of the application or the presentation made to the Planning and Zoning Board. They were two separate issues. He advised that approval of this phasing agreement did not constitute approval of any survey measurements or making any determination as to whether or not the building met the setback requirements of the approved site plan.

Commissioner Katz referred to the landscaping plan. She wanted to be certain that if the conference area were not built, the façade of that wall would be handled nicely, perhaps with some faux windows or shutters and lush landscaping. Mr. Hall displayed the landscape plan. He stated that the landscaping would be installed, if this phasing agreement was approved, within 60 days of Commission action. Mr. Hall said the plan called for more than lush landscaping with 221 trees and shrubs. The trees would be between 14' and 30', and they were spaced so the wall of the building would not be visible up to a height of 30'. Mr. Hall explained this was important because the banquet facility was planned at 30' to provide some architectural relief in the wall. He felt a superior treatment of the wall was proposed. Mr. Hall stated that another 424 trees and shrubs were proposed along the River as well, so boaters or residents across the River would not be able to see the wall of the building.

Mr. Hall said that when the plan had been proposed, a banquet facility made a lot of sense, but today's economic environment suggested otherwise. However, the pilings and footings had been constructed so the banquet facility could be added, and the request this evening would allow 18 months to make that decision. If it were constructed, it would be built according to the approved plan. If not, this landscaping plan would stand as the substitute. Mr. Hall believed the end result would be a superior plan either way. He understood there was some thought of a call-up. If that was nothing more than ensuring compliance with this landscape plan, there was no problem. However, if it injected other areas of review, there would be a problem.

Mr. Hall stated that there was only one setback on the southern side of this property, established by the approval, and it was 20'. He advised that this building, with or without the meeting room, would not encroach into that setback. Commissioner Katz asked if there would be anything except a painted wall above the 30' height. Mr. Hall said it was an active wall. There were rooflines, step backs, balconies, moldings, and banding. Ms. Hollar noted that additional treatments of the wall could be required during the administrative review.

Mayor Naugle felt the building was ugly. He wondered what had happened to all the architectural features on the 93' level that had been presented to the Planning and Zoning Board. Commissioner Smith believed some shutters were missing. Commissioner Moore noted a roof treatment was missing.

Commissioner Smith suggested that the item before the Commission be addressed. He understood Mayor Naugle had his own interpretation, and apparently the portion of the building that had been constructed was supposed to have been built 92' from the River. Ms. Hollar stated that the garage had been built 84' from the River. Commissioner Smith understood there was a 9' mistake. Mayor Naugle stated that the ULDR called for a minimum measurement. Commissioner Smith understood the additional building attached to the garage would come to within 20' of the River. Ms. Hollar agreed that was correct.

Commissioner Smith understood the applicant to be indicating that the attached building would not be constructed at this time, and the area would remain open and landscaped. Ms. Hollar agreed that was correct. Commissioner Smith also understood the applicant wanted the ability to build the meeting room at some point. He suggested the City take this "gift" of 60' along the River, and require a new approval for the meeting room in the future. Mr. Hall said the applicant could agree to that. Ms. Hollar said that she would still like the applicant to apply for administrative review. Mr. Hall agreed he would apply for an administrative amendment to the plan so the plan on file would show the 83'.

Commissioner Hutchinson stated that she would rather have the open space on the River than the meeting facilities. She also believed that buildings were constructed according to the site plans and not the pretty renderings. Commissioner Hutchinson thought Mayor Naugle might well have some issues, but those were not issues under consideration tonight. She said that the applicant could not count on her support for the meeting room in the future because she liked the open space.

Mayor Naugle pointed out the fake roof on the plan at the 93' level. Mr. Barton stated that the building would look very much like the architectural drawings by the time a Certificate of Occupancy was issued.

Commissioner Moore thought the meeting room had been one of the advantages of the plan because it broke up the mass of the building. He felt the open area looked smaller and had lesser impact. Commissioner Moore understood the foundation had been built to accommodate the addition of the meeting room later, so the owner had already made a capital investment in that idea. He understood the roof treatment, balconies, etc., would be provided when the structure was completed. Commissioner Moore did not want to impose a condition that the meeting room could not be built, but he agreed with Commissioner Smith that the Commission should review it when the time came to ensure something that would soften the height of the building.

Commissioner Moore asked if the roof awnings would be installed, along with all the other treatments shown on the plans. Mr. Barton stated that the building was not yet complete. Mayor Naugle hoped not because he thought it was ugly. Commissioner Moore felt the meeting room softened the whole development. Mayor Naugle was not ready to cancel that requirement. Commissioner Hutchinson asked what the dimension of the meeting room would change based on the setbacks discussed today. Mr. Barton stated that a 20' setback would be required from the River. He noted that the meeting room would have to be 9' narrower, and a small mechanical room would have to be accommodated elsewhere.

Commissioner Moore felt the Commission should follow staff's recommendation, with a reevaluation of the meeting room facility within 18 months, and implementation of the landscaping plan as presented this evening. Mr. Hall explained that staff's recommendation had not been to bring the meeting facility back to the Commission. Rather, staff's recommendation followed the applicant's request to decide within 18 months if the meeting facility would be constructed. If it were not, the site plan would be amended, and the landscape plan would be put into place in the meantime.

Commissioner Smith understood the applicant agreed to move forward with the landscaping plan now and seek administrative review on the 9' setback. If meeting rooms were to be added in the future, the applicant would also agree to present a new application. Mr. Hall concurred but, on the south wall of the building that were now louvers, awnings could not be installed because they would interfere with the exhaust system for the garage. However, the roofline feature would be installed as planned. Commissioner Smith said his point was that when the building was complete, it would look relatively similar to the site plan that had been approved.

Motion made by Commissioner Smith and seconded by Commissioner Katz to approve Consent Agenda Item No. M-19 as discussed. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, and Katz. NAYS: Mayor Naugle.

The City Manager said that when matters like this were presented to the City Commission in the future, he wanted to ensure the Commission was aware of any changes that had been made as a result of any administrative reviews and that all the definitions were clearly understood. Mayor Naugle asked that the City Attorney investigate the 92' requirement and the sworn statements made to the Planning and Zoning Board because what was built was not what had been presented. He wanted to know if the setback would require a variance or a site plan amendment or some other process. Mayor Naugle requested a written report from the City Attorney explaining what had happened to the City Commission.

RFP 522-8628 – Organizational Climate Survey (Pur. 5)

Commissioner Katz noted that the amount of \$52,525 had been provided to the Commission with respect to this item, but the back-up material indicated a figure of \$43,825. Mr. Kirk Buffington, Purchasing Manager, explained that the memorandum detailed several options, which the Commission could elect to use or not. Those included a session with the Commission and the firm conducting the survey, and optional explanation sessions to discuss the survey results with different groups and individuals. He stated that these options could be considered at a later date.

Commissioner Katz understood extra money would be charged to explain the survey to the Commission. She thought that should be included in the basic price. Mr. Buffington stated this item pertained to a special presentation for the City Commission, although 25 copies of the completed survey and explanation would be provided. He explained that the special presentation could be provided if the Commission felt further clarification was necessary after receiving the report. Mr. Buffington did not believe anyone would have to be a statistician to understand the report, however.

Motion made by Commissioner Katz and seconded by Commissioner Moore that Consent Agenda Item No. Pur. 5 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Settlement of**Workers Compensation File No. WC 99-10340 (Deedre Hurley)..... (M-20)**

A motion was presented authorizing the settlement of Workers Compensation File No. WC 99-10340 (Deedre Hurley) in the amount of \$125,000.

Motion made by Commissioner Smith and seconded by Commissioner Moore to approve the settlement of WC 99-10340 for Deedre Hurley in the amount of \$125,000. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

Settlement of Workers**Compensation File Nos. WC 98-9808 and WC 99-10033 (Eleanor Cleary) (M-21)**

A motion was presented authorizing the settlement of Workers Compensation File Nos. WC 98-9808 and WC 99-10033 (Eleanor Cleary) in the amount of \$23,000.

Motion made by Commissioner Smith and seconded by Commissioner Moore to approve the settlement of WC 98-9808 and WC 99-10033 for Eleanor Cleary in the amount of \$23,000. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

Application of Dock Waiver of Limitations and**Settlement with Mark Stephenson – John E. Rudnik – 2807 N.E. 36 Street (PH-1)**

A public hearing was scheduled to consider a resolution authorizing the proper City officials to waive the limitations under Section 47-19.3(d) of the City's Unified Land Development Regulations (ULDR) to allow John E. Rudnik to modify and maintain a dock and boat lift that extends in the Rio Mary Rita Canal a maximum distance of 18 feet from the property line, where only an 11.5 feet distance is otherwise permitted. Notice of the public hearing was published on November 8 and 15, 2001; on November 20, 2001, the City Commission deferred consideration of this item to January 8, 2002 by a vote of 5-0; and, on January 8, 2002, the City Commission deferred consideration of this item to March 19, 2002 by a vote of 5-0.

Motion made by Commissioner Smith and seconded by Commissioner Katz to defer consideration of this item to June 18, 2002 at 6:00 p.m. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

Development Order – Florida Department of**Transportation (FDOT)/Cypress Creek Park and Ride****Associates, Limited Partnership, Lessee – Lightspeed Broward****Center Development of Regional Impact (DRI) (PZ Case No. 109-R-00[021] (PH-2)**

At the January 23, 2002 regular meeting, the City Commission approved by a vote of 5-0 the consideration of an ordinance for this application for first reading on March 5, 2002; and, at the February 20, 2002 Planning and Zoning Board regular meeting, it was recommended by a vote of 5-2 that the following application be approved. Notice of the public hearing was published on January 4, 2002 and February 23, 2002. At the March 5, 2002 regular meeting, the City Commission deferred first reading to March 19, 2002 by a vote of 5-0.

Applicant: FDOT/Cypress Creek Park and Ride Associates, Limited Partnership, Lessee
Request: Development order for the Lightspeed Broward Center DRI
Location: Area south of Cypress Creek Road, north of 60 Street, east of Andrews Avenue and west of I-95, also known as the FDOT Park and Ride Facility

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to defer first reading to April 2, 2002 at 6:00 p.m. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

Vacate a Segment of Alley – Dixie Southland Corporation – Jefferson at Fort Lauderdale (PZ Case No. 4-P-02) (PH-3)

At the Planning and Zoning regular meeting of February 20, 2002, it was recommended by a vote of 9-0 that the following application be approved. Notice of the public hearing was published on March 7 and 14, 2002. (Also see Item R-5 on this Agenda).

Applicant: Dixie Southland Corporation
Request: Vacate a segment of alley
Location: Alley south of N.E. 6 Street between N.E. 2 and 3 Avenues

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Smith and seconded by Commissioner Moore to close public hearing. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Commissioner Smith requested a quick update on commencement of the project. *Mr. Robert Lochrie*, Attorney representing the applicant, stated that the project was in the expedited permit process, although some changes to the site plan had been requested by the CRA Advisory Board. He was hopeful the project would commence this summer.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-02-05

AN ORDINANCE VACATING, ABANDONING AND CLOSING A PORTION OF THE 15 FOOT ALLEY IN BLOCK 4, "AMENDED PLAT OF NORTH LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 182, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BOUNDED ON THE NORTH BY THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 8 OF SAID BLOCK 4 AND BOUNDED ON THE SOUTH BY THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 10 OF SAID BLOCK 4, LOCATED SOUTH OF NORTHEAST 6TH STREET, NORTH OF NORTHEAST 5TH STREET BETWEEN NORTHEAST 2ND AVENUE AND NORTHEAST 3RD AVENUE, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

**Amend Section 2-26 – Starting Time of
City Commission Conference Meetings (O-1)**

An ordinance was presented amending Section 2-26 of the Code of Ordinances to revise the starting time of the City Commission Conference meetings from 12:30 p.m. to 1:30 p.m. Notice of proposed ordinance will be published March 23, 2002.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-02-06

AN ORDINANCE AMENDING SECTION 2-26, MEETINGS, OF THE CODE OF
ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, IN ORDER
TO CHANGE THE TIME FOR THE MEETINGS OF THE CITY COMMISSION.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

2002 Citizen of the Year – Tim Schiavone (R-1)

A resolution was presented selecting and honoring *Tim Schiavone* as Citizen of the Year of Fort Lauderdale for 2002.

Commissioner Moore said he had been unable to attend the ceremony honoring these citizens of Fort Lauderdale because of a conflicting meeting of the County Commission about the 7th/9th Avenue Connector project. He wished to apologize to the recipients of these awards for that reason, but he was pleased that the County Commission had approved this very important project. Commissioner Moore hoped the City would do everything possible to expedite the process.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT
LAUDERDALE, FLORIDA, SELECTING AND HONORING TIM SCHIAVONE AS
CITIZEN OF THE YEAR FOR 2002.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

**2002 Distinguished Citizens –
Honorable Judges Estella Moriarty and W. Herbert Moriarty (R-2)**

A resolution was presented selecting and honoring the Honorable Judges *Estella Moriarty and W. Herbert Moriarty* as Distinguished Citizens of Fort Lauderdale for 2002.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SELECTING AND HONORING THE HONORABLE W. HERBERT MORIARTY AND THE HONORABLE ESTELLA MORIARTY AS DISTINGUISHED CITIZENS FOR 2002.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

2002 Honored Founder – Andrew DeGraffenreidt (R-3)

A resolution was presented selecting and honoring *Andrew DeGraffenreidt* as Honored Founder of Fort Lauderdale for 2002.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-40

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SELECTING AND HONORING ANDREW DEGRAFFENREIDT AS HONORED FOUNDER FOR 2002.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

2002 Exemplary City Employee – Charles “Chuck” Ritchie (R-4)

A resolution was presented selecting and honoring *Charles “Chuck” Ritchie* as Exemplary City Employee of Fort Lauderdale for 2002.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-41

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SELECTING AND HONORING CHARLES H. RITCHIE AS EXEMPLARY CITY EMPLOYEE FOR 2002.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

Vacate Utility Easement – Dixie Southland Corporation – Jefferson at Fort Lauderdale (PZ Case No. 2-M-02) (R-5)

A resolution was presented authorizing the vacation of a utility easement abutting Lots 1 through 8 and Lots 19 through 26, Block 4, Amended Plat of North Lauderdale, Plat Book 1, Page 182. (Also see Item PH-3 on this Agenda).

Applicant: Dixie Southland Corporation
Request: Vacate utility easement
Location: South of N.E. 6 Street between N.E. 2 and 3 Avenues

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-42

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT CERTAIN UTILITY EASEMENT AND TEMPORARY VEHICULAR AND PEDESTRIAN EASEMENT RETAINED OVER THE 15 FOOT ALLEY VACATED BY ORDINANCE C-97-68, LYING IN BLOCK 4, "AMENDED PLAT OF NORTH LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 182 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BOUNDED ON THE SOUTH BY THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 8 OF SAID BLOCK 4, AND BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF NORTHEAST 6TH STREET, LOCATED SOUTH OF NORTHEAST 6TH STREET, NORTH OF NORTHEAST 5TH STREET BETWEEN NORTHEAST 2ND AVENUE AND NORTHEAST 3RD AVENUE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

Vacate Utility Easement – Ulrich Ansin (PZ Case No. 3-M-02) (R-6)

A resolution was presented authorizing the vacation of a utility easement being the south 6 feet of Lot 12, Block 3, Victoria Isles Plat Book 15, Page 67.

Applicant: Ulrich Ansin
Request: Vacate utility easement
Location: 301 Hendricks Isle

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-43

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THE 6.0 FOOT STORM SEWER EASEMENT RUNNING OVER AND ACROSS THE SOUTH 6.00 FEET OF LOT 12, OF BLOCK 3, "VICTORIA ISLES", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 15, PAGE 67, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED AT 301 HENDRICKS ISLE DRIVE, BETWEEN HENDRICKS ISLE DRIVE AND THE KAREN CANAL, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

**Approval of Helistop/CF –
Broward General Medical Center (PZ Case No. 59-R-00) (R-7)**

At the January 26, 2002 Planning and Zoning Board regular meeting, it was recommended by a vote of 8-0 that the following application be approved.

Applicant:	Broward General Medical Center
Request:	Approval of helistop
Location:	1600 South Andrews Avenue

Commissioner Hutchinson disclosed that she had spoken with Robert Lochrie about this issue, and she had some concern about the flight pattern of the helicopters because there had been some trouble at the Port with helicopters that were not using the pattern they were supposed to be using.

Having affirmed to speak only the truth, by virtue of an oath administered by the City Clerk, the following individuals offered comment on this item.

Mr. Robert Lochrie, Attorney representing the applicant, advised that the flight plan itself would not be changing. He stated that helicopters currently came in from the north and landed in the middle of the parking lot at this location. Mr. Lochrie explained that helicopters had to head into the prevailing wind when landing and taking off but, when they took off because of existing structures, helicopters departed to the east over Federal Highway. He stated that with both the temporary location during construction and the future location on top of the hospital, the flight plan would not change.

Commissioner Katz inquired about the energy center – an issue that had arisen during the Planning and Zoning Board meeting in this regard. Mr. Lochrie stated that the energy center contained both the cooling towers and the emergency generators, but they were not part of this application. Rather, they were part of the site plan that had been approved by the Planning and Zoning Board in January. Nevertheless, the energy center had been designed to take air in from the roof and direct exhaust back out at the hospital itself. He added that it was located as far from the hospital as possible while still not directing potential noise into the surrounding neighborhood. In addition, a series of noise attenuation devices were included to minimize impacts on the hospital.

Mayor Naugle inquired about parking around the hospital during the construction. He asked that a phone number be posted on the site so residents could report problems 24 hours per day, such as when employees parked where they should not. Mr. Lochrie assured the Commission that the applicant was very aware of these issues. He stated that some School Board property had been leased for parking, and notice of proper parking procedures was being sent to all employees indicating that there would be disciplinary taken against those who did not conform.

Mayor Naugle requested a phone number to call. *Ms. Janet McCabe*, Broward County Medical Center, stated that there was a security command center in the hospital that was staffed 24 hours per day and could be reached at 954-355-5350, and her phone number was 954-355-5604.

Commissioner Moore said he had heard that a number of employees were parking at City parking meters because of the construction, and they were being ticketed. Now, work-related disciplinary action would be taken if employees parked on public swales. He stated that there had been similar situations on 6th Street for many, many years, and he wondered if the City could have a little more compassion in terms of employees and individuals visiting patients in the hospital. He did not think the City should ticket people during the construction, but try to assist by providing reasonable alternatives, particularly for those visiting patients. Commissioner Moore asked the City Manager to provide a report as to the budgetary impact of waiving parking fees at this facility until the construction was completed. He understood concerns about people parking on private property, but those property owners could cause the towing of such a vehicle. However, he felt differently about the public swales.

Mayor Naugle said he would object to Commissioner Moore's idea. He felt the City should enforce parking regulations, otherwise hospital employees would tie up the parking meters all day long, and there would be no place for the public to park. He noted that the hospital was, in fact, providing parking for its employees, but some were too lazy to park in the designated location. As a result, the shuttle vans were empty, and the neighborhood was being abused.

Commissioner Hutchinson felt the hospital had been very responsive. She did not favor the idea of employees using meters because the businesses in the area needed that parking for their customers. She acknowledged that the hospital had a great challenge in this respect, but the Poinciana Park residents needed their swales for their own vehicles. Commissioner Hutchinson stated that there had been meetings to address the situation, and every possible space was being used. She added that this was a temporary situation, and the hospital had been very responsive.

Commissioner Moore said he was not referring to parking meters on Andrews Avenue, but parking meters on the hospital property. Commissioner Hutchinson advised they had all been removed from 16th Street.

Commissioner Moore asked if valet parking was still provided. Ms. McCabe replied that there was a dedicated valet parking lot just north of the physician's parking lot, and valet parking was provided at least 5 days a week from 6:30 a.m. to 8:00 p.m. She was not sure it was provided on weekends. Commissioner Moore hoped the hospital would consider a 7-day week valet parking operation.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-44

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING A HELISTOP AT BROWARD GENERAL MEDICAL CENTER LOCATED AT THE NORTHEAST CORNER OF S.E. 17TH STREET AND ANDREWS AVENUE IN A CF ZONING DISTRICT OF THE CITY OF FORT LAUDERDALE, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

**Broward County Charter Review Commission -
Proposal to Create Countywide Water Council (Regional Water Authority) (R-8)**

A resolution was presented opposing the proposed amendment by the Broward County Charter Review Commission to create a countywide water council or regional water authority that would implement a mandatory countywide water plan of uniform standards and regulations, as requested by Commissioner Moore.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-45

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, OPPOSING PROPOSED AMENDMENTS TO THE BROWARD COUNTY CHARTER WATER RESOURCE PLAN TO CREATE A COUNTYWIDE REGIONAL WATER AUTHORITY.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

**Emergency Task Order –
Recreational Design and Construction, Inc. (RDC) – Project 10465 -
Performing Arts Center Authority (PACA) Garage Guardrail Replacement Project (R-9)**

A resolution was presented authorizing the proper City officials to execute an emergency task order with RDC in the amount of \$66,614 to design and construct the PACA Garage guardrail replacement project, in accordance with Section 2-179(2) of the Code of Ordinances.

Commissioner Hutchinson wondered why the City was not looking to the Downtown Development Authority (DDA) and the Performing Arts Center Authority (PACA) to assist with this payment. Mr. Doug Gottshall, Parking Manager, stated that the operating agreement with the DDA and the PACA required that the City paid first and then collected from the partners, so they would participate in the cost.

Mayor Naugle thought the railings would have lasted longer than 11 years. Mr. Alan Gavazzi, City Architect, said he would have expected a longer life, and he was not sure why that had not been the case. Mayor Naugle asked who had designed the facility. Mr. Gavazzi said he would have to check the drawings to make that determination. Mayor Naugle believed the warranty period had expired, but the same cable was used in a lot of garages around town. He hoped staff would start inspecting those railings for safety, and he asked for a report on who designed this facility in order to address the failure.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-46

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PURSUANT TO SECTION 2-179(2) OF THE CODE OF ORDINANCES, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A TASK ORDER WITH RECREATIONAL DESIGN AND CONSTRUCTION, INC., PROVIDING FOR EMERGENCY REPAIRS OF THE GUARDRAIL AT THE PERFORMING ARTS CENTER AUTHORITY GARAGE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

**Air Space Agreement and Addendum to Agreement –
Florida Department of Transportation (FDOT) –
E. Clay Shaw Bridge (S.E. 17 Street Causeway) Underdeck
Area and Change of Name of Park to “Betty and Sam Switzer Plaza” (R-10)**

A resolution was presented authorizing the proper City officials to execute Air Space Agreement and Addendum to Agreement with FDOT for a 20-year term at no cost to the City to cover the underdeck area of the E. Clay Shaw Bridge (S.E. 17 Street Causeway) on both sides of the Intracoastal Waterway; and further authorizing the change of name from Betty and Sam Switzer Park to “Betty and Sam Switzer Plaza.”

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-47

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AIRSPACE AGREEMENT AND ADDENDUM WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION, PROVIDING FOR THE LEASE OF UNDERDECK AREAS OF THE E. CLAY SHAW BRIDGE; AND NAMING THE EASTSIDE UNDERDECK AREA, “BETTER AND SAM SWITZER PLAZA.”
PLAZA.”

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

Agreement - Broward County - Water Service for Port Everglades (R-11)

A resolution was presented authorizing the proper City officials to execute a month-to-month agreement with Broward County for the City to provide water service for Port Everglades.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-48

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MONTH-TO-MONTH AGREEMENT WITH BROWARD COUNTY PROVIDING FOR CITY WATER SERVICE TO PORT EVERGLADES FOR A PERIOD OF SIX MONTHS.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

Competitive Negotiations for Professional Services for Oversight of Third Party Administration for the City's Employee Health Benefits (R-12)

A resolution was presented authorizing the proper City officials to commence the process under Section 2-199 of the Code of Ordinances for competitive negotiations (request for proposals) to retain professional services for the purpose of oversight of the Third Party Administration (TPA) of the City's employee health benefit claims and consultation on hospital contract negotiations including data development and reports.

Commissioner Moore noted that the City Commission had requested the Plan design earlier today, but it had not yet been provided. It was the consensus of the Commission to temporarily table the item.

Amendment to Agreement – Florida Department of Environmental Protection (DEP), Land and Water Conservation Fund – Holiday Park Facilities – Deletion of Hockey Rink Construction (R-13)

A resolution was presented authorizing the proper City officials to execute an amendment to the agreement with DEP, Land and Water Conservation Fund, to modify the project elements by deleting the hockey rink construction from the scope of the grant project.

Commissioner Moore asked if the hockey rink would still be built in Holiday Park. Mr. Vince Gizzi, Parks & Recreation Department, stated that bids for the hockey rink were due on March 27, 2002, and it would be installed at Holiday Park. He explained that this item would only delete the hockey rink from the grant agreement in order to use those monies for other Park improvements. Commissioner Katz asked where the money from the hockey rink would come from in that case, and Mr. Gizzi advised there were funds available from the Parks Bond. Commissioner Moore thought it was ill advised to build the roller hockey facilities at this Park.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-50

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO THE FLORIDA LAND AND WATER CONSERVATION FUND PROJECT GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION TO DELETE THE HOCKEY RINK ELEMENT OF THE HOLIDAY PARK FACILITIES GRANT.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz and Mayor Naugle. NAYS: none.

Advisory Board Appointments (OB)

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:

Community Appearance Board

Sally Ketcham

Unsafe Structures & Housing Appeals Board

Ashley Goodwin

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 02-51

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

Competitive Negotiations for Professional Services for Oversight of Third Party Administration for the City's Employee Health Benefits (Continued from Page 28) (R-12)

Commissioner Smith asked Commissioner Moore if he needed the Plan in order to vote on this item. Commissioner Moore replied that it really had nothing to do with this particular item, but his concern was that staff said the information would be provided this evening, and that had not occurred. He did not want to vote on this, however, without having all the information. Commissioner Smith understood his concern, but he did not think this item should wait.

Motion made by Commissioner Moore to defer this item to the next meeting. Motion died for lack of a second.

At 8:13 P.M., Commissioner Moore left the meeting.

Mayor Naugle inquired about the consultant that had already been selected. Mr. Kirk Buffington, Purchasing Manager, believed Rachlin & Cohen was selected originally, and this resolution allowed for continuation of the RFP process within 60 days. Mayor Naugle recalled that the City of Hollywood had experienced problems with this firm, and that City had to sue the firm because the work done had been wrong. He said that staff investigate the situation in Hollywood if a recommendation was going to be made to use this company. Mr. Buffington agreed to obtain information in this regard if that firm submitted a proposal and was ultimately ranked for consideration.

The City Manager encouraged the City Commission to vote on this resolution tonight and agreed to provide a report as to why the materials promised at the Conference meeting this afternoon had not been delivered as requested.

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 02-49

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA PURSUANT TO CITY CODE SECTION 2-199 RESPECTING THE PROCEDURE FOR PURCHASING INSURANCE RELATED SERVICES FINDING THAT IN PURCHASING (A) HEALTH INSURANCE AUDITING SERVICES AND (B) HEALTH INSURANCE CONSULTANT SERVICES THAT THE NEGOTIATION PROCESS ESTABLISHED PURSUANT TO CITY CODE SECTION 2-199 WOULD BE MORE FAVORABLE TO THE INTERESTS OF THE CITY THAN A FORMAL BID PROCEDURE; AUTHORIZING THE CITY MANAGER TO CONDUCT NEGOTIATIONS FOR THE PURCHASE OF THE FOREGOING SERVICES; DIRECTING THE FINANCE DIRECTOR TO PREPARE AND SUBMIT TO THE CITY MANAGER SPECIFICATIONS FOR THE PURCHASE OF THE FOREGOING SERVICES; DIRECTING THAT NOTICE OF THE CITY'S INTENT TO NEGOTIATE FOR THE PURCHASE OF THE FOREGOING SERVICES AND AUTHORIZING THE CITY MANAGER TO CONDUCT NEGOTIATIONS PURSUANT TO CITY CODE SECTION 2-199.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Hutchinson, Katz, and Mayor Naugle. NAYS: none.

At 8:18 P.M., Mayor Naugle adjourned the meeting.

Jim Naugle
Mayor

ATTEST:

Lucy Masliah
City Clerk